

**From:** Austin Myers  
**To:** Microsoft ATR  
**Date:** 12/8/01 2:32pm  
**Subject:** Microsoft Settlement

Pursuant to the Tunney Act, I am submitting the following for consideration:

I do not claim to be a judicial wizard or that I understand all the requirements of submitting a letter like this. However, it is my hope the courts forgive my ignorance in this area and allow me to express my views and accept them in the good faith I offer them.

To provide the quick answer, let me say I approve of the proposed settlement between the DoJ, the approving State Attorney Generals, and Microsoft Corporation. With that said I would like to express my reasoning behind this:

Microsoft has been found guilty of specific violations of the law and as such should face the consequences of their acts. However, I believe any ?punishment? should fit the ?crime?, and I believe the proposed remedies do this very nicely.

If I understand all that I have read on the subject, Microsoft?s biggest problem is in how they conducted business with OEMs. (Original Equipment Manufactures) It would make sense that this is the area of behavior that should be addressed, restricted, and monitored. While a small minority of people would like to see additional restrictions and/or restructuring of Microsoft, I believe doing so would not be in the best interest of the average consumer.

I have worked with PC users on a daily basis for about 20 years and have had one point driven home time after time. ?The key to consumer satisfaction is making the PC simple to use.? The concept that breaking the Windows Operating System in to multiple components will somehow make the PC easier to use is just plain wrong. In my experience, users want a PC they can set-up, turn on, and immediately be productive with.

Another consideration for the average user is one of support. As I said, I make a living helping people with their PCs. With Microsoft Windows I have a "known" basis to work from. I can count on a number

of things being in place and I know their structure. This allows me to quickly resolve any problems the user may have. If I, as a support person, am required to learn and deal with what could be hundreds of possible configurations, I would have no choice but to increase the price of my services, and in all likelihood, spend considerable more time resolving the user's problems. This will obviously be reflected in the users cost of ownership.

It is unfortunate that the DoJ and the courts have been placed into the current situation, but the reality is that it was necessary. With that said, my feelings on the matter are that the government must show extreme caution to go no further than is absolutely necessary. The PC industry is still in its infancy and market forces are just beginning to shape it. The Linux Operating System is becoming more and more popular, large corporations other than Microsoft are developing standards for the Internet, and there is serious competition in just about every conceivable area of PC use.

I pray the court consider the users of PCs and not just Microsoft's competitor's complaints. Regardless of which company or corporation "wins" the race to market share, ultimately it is the user's needs that must be met. And it is for these users's I ask that the current proposed settlement be accepted and enforced.

Sincerely,

Austin Myers

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